

LEGAL ISSUES FOR FACILITIES MANAGERS

Law 2306 / Spring 2017 / Section E830 / Room N-1108 / F 6-8:30pm

Professor Kerin E. Coughlin / Namm 622 / 718.260.4939 / kcoughlin@citytech.cuny.edu

Office hours: Monday 1-2:30pm, Wednesday 4:15-5:45pm, and by appointment

COURSE DESCRIPTION

This course addresses legal issues that affect facility management. Topics include principles of contracts, leases, service and employment agreements, purchase agreements, relevant federal and state laws, environmental and municipal regulations, liabilities of different legal entities, tort liability, media and group relations, debtor rights, business ethics and disability laws. Three credits; ENG 1101 is a pre-requisite.

Course objectives include:

- understand the legal systems relevant to facility management and how they operate;
- describe what is legally required of a facility manager;
- understand general legal principles commonly affecting facility management, including contracts, employment, torts and liability, environmental, media/speech, and civil rights;
- analyze legal issues faced by facility managers;
- evaluate the legal risks involved in facility management;
- understand how to mitigate such risks;
- understand federal, state and local laws relevant to facility management;
- recognize legal issues that arise in facility management, and how a manager can, and should, respond;
- identify and respond appropriately to ethical issues that arise in facility management; and
- be aware of current legal events and developments relating to facility management.

General Education Student Learning Outcomes (SLOs) include:

- **Knowledge**: understand and appreciate the range of academic disciplines and their relationship to the fields of professional and applied study.
- **Integration**: understand and navigate systems; make meaningful and multiple connections among various areas of study leading to a major or profession.
- **Values, Ethics and Relationships**: discern consequences of decisions and actions; apply knowledge to the identification and analysis of professional problems to enact solutions.

Texts:

- L. Thomas-Mobley, Legal Concepts for Facility Managers (2014), e-book available through NYCCT library website.
- Other readings assigned in class or on Blackboard or OpenLab.
- A law dictionary, such as Black's, in print or online. Examples of online law dictionaries include thelawdictionary.org, dictionary.law.com and legal-dictionary.thefreedictionary.com.

Course grades will be calculated as follows:

Midterm exam	20%
Final exam (cumulative)	30%
Quizzes	20%
Homework and other assignments	20%
Participation and professionalism	10%

There will be no make-up exams or quizzes without advance permission. Late homework and other submissions will be declined or penalized. All written assignments, including homework, must be typed and double-spaced. Grammar and spelling count; proofread! Retain copies of your graded work; if you believe there is an error in grading, you will be required to demonstrate it.

Participation and professionalism: You are required to participate meaningfully in all classes, including (i) completing readings and assignments before class and being prepared to discuss them intelligently; (ii) being present, attentive and engaged in class activities; and (iii) having necessary materials. Professionalism includes conducting yourself in a manner appropriate to the legal profession, and taking responsibility for your own learning and progress.

You may not use cell phones or computers of any kind in class, at any time, for any purpose.

Attendance: You are permitted up to two absences; two late arrivals equal one absence.

NYCCT statement on academic integrity: "Students and all others who work with information, ideas, texts, images, music, inventions, and other intellectual property owe their audience and sources accuracy and honesty in using, crediting, and citing sources. As a community of intellectual and professional workers, the College recognizes its responsibility for providing instruction in information literacy and academic integrity, offering models of good practice, and responding vigilantly and appropriately to infractions of academic integrity. Accordingly, academic dishonesty is prohibited in The City University of New York and at New York City College of Technology and is punishable by penalties, including failing grades, suspension, and expulsion." (NYCCT Academic Integrity Policy Manual at 4.) You are responsible for understanding and following CUNY's and NYCCT's policies on academic integrity. They are available on Blackboard and at http://www.citytech.cuny.edu/about-us/docs/CUNY_ACADEMIC_INTEGRITY_6-2011.pdf (CUNY) and http://www.citytech.cuny.edu/academics/docs/academic_integrity_policy.pdf (NYCCT).

Blackboard and OpenLab: Blackboard and OpenLab will be used extensively to provide assignments, materials, and other important information, including some that may not be provided in class. You are responsible for all information and instructions posted on Blackboard and OpenLab. Check them frequently.

Email: Per college policy, please email me only from your City Tech account, not gmail or other personal accounts. Please allow 24 hours for a response, and longer if you email me during a weekend or when classes are not in session. The college Welcome Center (Atrium 1st floor) can assist you with City Tech email.

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Assignments include bi-weekly news summaries to be completed by each student, according to the attached schedule. By the end of each Thursday preceding a class session, the designated students shall each post to our class OpenLab site a response to a news article addressing a legal issue relevant to facilities management. The response should include: (a) a link to the article, and (b) at least three (3) paragraphs written by the student: (1) one or more paragraphs summarizing the article; (2) one or more paragraphs identifying and explaining the legal issue(s) it addresses; and (3) one or more paragraphs responding to those issues, such as describing your opinion on it, as a future facility manager, or how you think a facility manager should address the issue, or any potential positive or negative effects of the issue.

CLASS SCHEDULE

Below is a general schedule of topics, exams, assignments and other events. It is subject to change. The last column lists students required to post bi-weekly news summaries on OpenLab by the end of the Thursday preceding each class. Additional assignments will be given in class, on Blackboard and on OpenLab.

<u>Class</u>	<u>Date</u>	<u>Topics</u>	<u>News summaries</u>
1	February 3	Course introduction; legal fundamentals <i>including</i> sources of law and regulatory systems	
2	February 10	Property law, <i>including</i> leases, legal duty of care, and disability laws	<i>Last names A-L</i>
3	February 17	Contract law I, <i>including</i> contract principles and consequences of breach	<i>Last names M-Z</i>
4	February 24	Contract law II, <i>including</i> agreements common in facility management	<i>Last names A-L</i>
5	March 3	Employment law I: introduction, <i>including</i> types of employment relationships and labor unions	<i>Last names M-Z</i>
6	March 10	Employment law II: workplace regulations <i>including</i> OSHA, FLSA, FMLA	<i>Last names A-L</i>
7	March 17	Employment law III: civil rights issues, <i>including</i> discrimination and harassment	<i>Last names M-Z</i>
8	March 24	MIDTERM EXAM; Criminal law issues	
9	March 31	Tort law I: introduction, <i>including</i> types of torts	<i>Last names A-L</i>
10	April 7	Tort law II: liability of different entities, defenses, and other issues	<i>Last names M-Z</i>
	<i>April 10 - 18</i>	<i>SPRING RECESS!</i>	
	Wed. April 19	**Last day to withdraw with a "W" (no class)	
11	April 21	Environmental law, <i>including</i> major regulations and regulatory bodies	<i>Last names A-L</i>
12	April 28	Risk management, <i>including</i> conflict avoidance and insurance	<i>Last names M-Z</i>
13	May 5	NYC-specific issues	<i>Last names A-L</i>
14	May 12	Media/group relations; other emerging issues **Optional book review due	<i>Last names M-Z</i>
15	May 19	Course wrap-up; FINAL EXAM	

HAPPY SUMMER! ☺